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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231**

Inventor: Keeler, John SR

Serial No: 10/691480

Filed: 21 Oct 2003

For: Method For Packaging
Crabmeat

Publ: 2005/0084571

Examiner: Chawla, Jyoti

Art Unit: 1761

**SECOND SUBMISSION OF PRIOR ART
UNDER 35 U.S.C. 301**

The file wrapper shows that the currently pending claims as rejected by Doerter (US 5268189) in view of Sugisawa et al. (US4840805). The Examiner's attention is respectfully drawn to the following references, which anticipate the pending claims:

~~1) EP 0 638 487 (Feb. 1995), teaches packing crabmeat with air space of about 40 ml that provides about 1-2% oxygen. See examples 3 and 4.~~

~~2) US 3563757 (Feb. 1971) teaches packaging food with 5% air for the express purpose of inhibiting growth of anaerobic bacteria. See col. 2, lines 46-56. Further discloses reduction in oxygen concentration down to only 1/4- 1/6%. See col. 4, lines 7-15.~~

~~3) JP Abstracts, publ 62244340 (Oct. 1987) teaches packaging fish and shellfish with an empty (air) ratio of 25%.~~

~~4) EP 0 290 625 (Nov. 1988) teaches packaging foodstuffs with 4 mm headspace (air). See example 6-2-1.~~

Duplicate citations

Copies are attached.

same as IDS of 8/24/2006

By: _____

--- anonymous ---

/Jyoti Chawla/

10/14/2011